

<b>App.No:</b> 161448	<b>Decision Due Date:</b> 10 <sup>th</sup> March 2017	<b>Ward:</b> Upperton
<b>Officer:</b> Thea Petts	<b>Site visit date:</b> 31 <sup>st</sup> January 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 5 <sup>th</sup> January 2017		
<b>Neighbour Con Expiry:</b> 5 <sup>th</sup> January 2017		
<b>Press Notice(s):</b> 23 <sup>rd</sup> December 2016		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> Mill Gap House, 2 Mill Gap Road, Eastbourne		
<b>Proposal:</b> Demolition of part of former Hospice building. Conversion and change of use of remaining former Hospice into 3 dwelling houses. In addition, construction of 6 further dwelling houses on the site. Minor alterations to include reconfiguration and insertion of new windows at Coach House (Cottage).		
<b>Applicant:</b> Mr Andrew Mackelden		
<b>Recommendation:</b> Approve conditionally subject to S106 Agreement and conditions		

**Executive Summary:**

This application is reported to planning committee at the discretion of the Senior Specialist Advisor given the planning history of the site and the scale of the development.

This current scheme proposes the retention of the historic part of the former hospice building and its change of use to provide three dwelling houses. In addition, six new dwelling houses are proposed for the site and external alterations are to be made to the Gardners Cottage to facilitate its use as a residential property. In all (if the Cottage is included), ten dwellings will occupy the site and these will be served by 21 parking spaces.

**Planning Status:**

The application site served the former St Wilfred's Hospice building; the building is now vacant.

The Council's Strategic Housing Land Availability Assessment (SHLAA) has identified the site as having the potential for residential redevelopment. This document scoped the development potential of the site as having capacity for 13 units.

**Relevant Planning Policies:**

### National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

### Core Strategy Local Plan 2013 Policies

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C2: Upperton Neighbourhood Policy
- D1: Sustainable Development
- D2: Economy
- D8: Sustainable Travel
- D10: Historic Environment
- D10a: Design

### Eastbourne Borough Plan Saved Policies 2007

- HO2: Predominantly Residential Area
- HO20: Residential Amenity
- TR6: Facilities for Cyclists
- TR11: Car Parking
- UHT1: Design of New Development
- UHT2: Height of Buildings
- UHT4: Visual Amenity
- UHT5: Protecting Walls/Landscape Features
- UHT6: Tree Planting
- UHT7: Landscaping
- UHT13: External Lighting
- UHT18: Buildings of Local Interest
- UHT19: Retention of Historic Buildings
- UHT20: Archaeological Sites and Scheduled Monuments
- US4: Flood Protection and Surface Water Disposal

### Technical housing standards – nationally described space standard

#### **Site Description:**

The application site is located on the west side of the lower section of Mill Gap Road, to the south of the wide junction with St Annes Road and Torfield Road. The whole site is roughly triangular in shape. The main bulk of the built form is the main hospice building itself (old and new). This runs approximately two thirds of the length of the western boundary of the site (the boundary fronting Mill Gap Road). The buildings at the site vary in age

with the original buildings dating from 1881,. A particular feature of the whole site is the very substantial Greensand boundary walls.

The site lies on a hill at a significantly higher ground level than most of the adjacent properties and is edged densely with trees and mature vegetation. The trees on the site are protected by TPO 74.

A footpath (part of Ivy Lane) runs along the east boundary, and contains part of a substantial Greensand boundary wall which extends further along the length of the whole site, as well as the Mill Gap Road side. The southern boundary, separating the site from properties on Arundel Road and Leaf Glen. The application site is substantially higher than those at Leaf Glen and there is a vast retaining wall with trees, vegetation and varied fence work typifies the appearance of this boundary when viewed from Leaf Glen

The site is accessed via pedestrian accesses from Mill Gap Road; the only parking currently facilitated by the site is hardstanding space for one car at the northernmost tip of the site (serving the former Gardener's Cottage). An ambulance bay is situated on Mill Gap Road in front of the historic part of the building.

The existing buildings on the site were attributed to its former use as a Hospice. The northernmost part of the main building dates back to the late nineteenth century and at their elevated position towards the top of the hill means that they make a considerable contribution towards the character and appearance of the area. Whereas, the modern additions from the middle to the south of the site have less historical aesthetic merit.

**Relevant Planning History:**

EB/1990/0379

PROPOSAL A. SINGLE STOREY EXTENSION ON WEST SIDE OF EXISTING 3 STOREY HOSPICE TO PROVIDE GROUND FLOOR IN PATIENTS WING WITH PART FIRST FLOOR TEACHING ACCOMMODATION IN DORMER ROOF (NO. 4)

Approved Conditionally

1991-03-07

EB/1987/0207

PT SINGLE & PT 2/ST REAR EXTN (NO. 2 )

Approved Conditionally

1987-06-03

EB/1981/0582

C/U FROM SINGLE DWELLING TO HOSPICE (NO 2 )

Approved Unconditionally

1981-12-08

EB/1962/0358

CONSTR OF CUL-DE-SAC ROAD FROM MILLGAP RD & ERECTION OF 7 DET DWELLINGS EACH WITH DOM GARAGE

Approved Conditionally  
1962-07-05

010211

Provision of a parking area, with access to Mill Gap Road.

Planning Permission

Refused

14/06/2001

080452

Demolition of existing buildings and provision of new hospice building, to include day therapy, 15 inpatient rooms, administration/education facilities, catering facilities and 29 below ground parking spaces, together with replacement boundary walls.

Planning Permission

Refused

28/10/2008

130927

Change of use of former gardener's cottage from C2 (residential institution) to C3 (single dwellinghouse), including extension to roof at rear and removal of extension to main building.

Planning Permission

Approved conditionally

15/07/2014

**Proposed development:**

There are four elements to this proposal:-

1. demolish the modern extensions to the former hospice building
2. retain the Victorian building and convert into 3 houses
3. Retain and convert detached Coach House/Gardener's Cottage into residential chalet unit

construction 6 new houses in the grounds with gardens around the perimeter of the site.

Gardner's Cottage	1 X 2 bedroom
Converted Victorian Buildings	3 X 4 bedroom
New Build Detached	3 X 4 bedroom
New Build Terrace	3 X 4 Bedroom

The six new build dwellings will benefit from the most outdoor amenity space, but some garden/courtyard space has been afforded for the dwellings resulting from conversion.

A new access will be formed off Mill Gap Road with a way into the site to access the houses and areas of parking (21 parking spaces in total).

There is no affordable housing to be provided on the site and the scheme falls below the threshold for the affordable housing requirement.

### **Consultations:**

#### Internal:

##### Specialist Advisor (Arboriculture) – conditions recommended

- 16 trees to be lost as part of application; the loss of these trees is considered acceptable as the site has been designed to retain the remaining category B and A trees
- Arboricultural Impact Assessment (AIA) has indicated removing some Category C trees in order to create adequate garden space in plots 1-5 this will leave less screening between the development and Leaf Glen, it is indicated in the AIA that this can be mitigated by the planting of a privet hedge along this boundary

##### Specialist Advisor (Economic Development) – support proposal subject to inclusion of Local Labour Agreement

- Planning application qualifies under the thresholds for residential development in accordance with the Local Employment and Training Supplementary Document
- The development would support local construction employment and associated business supply chain

##### Specialist Advisor (Waste) – no comments received

#### External:

##### Environment Agency – No response received

##### South East Water – No response received

##### Southern Water – condition and informative recommended

- Details of water disposal (surface and foul) to be submitted
- Sewers may not be privately owned; this should be checked if unidentified sewers are found
- Formal application to Southern Water required for connection to the public foul sewer

##### ESCC Archaeology – condition recommended

- Archaeological remains from various eras have been found within the Archaeological Notification Area in which the site stands
- Investigation suggests that only one part of the site survives relatively well preserved
- Archaeological mitigation will be required for the identified area

##### ESCC Flood Risk Team (SuDS) – No objection, subject to standard conditions

- Surface water to be discharged into the public sewer
- Infiltration systems could be used, but site investigation would be required
- Underground storage systems are to be used to deal with surface water run-off, however, above ground storage should be considered as part of the detailed design (condition recommended)

ESCC Highways – No objection, subject to the imposition of conditions

- Request that the development should fund a TRO to scope the potential for double yellow lines and if supported/approved then greater visibility splays at the sites entrance can be provided.
- Parking is one space below ESCC requirement. But due to accessible location, this is not a concern.
- Cycle parking has not been shown and details would need to be submitted (condition recommended)
- Ambulance parking bay would need to be removed and would be subject to a TRO (S106 Agreement)
- Former hospice use likely to have generated similar level of trips as proposed development, therefore not a concern
- Bus stops are within walking distance of the site and there are regular train services running from nearby Eastbourne station (950km). Therefore it is considered a an acceptable distance to alternative modes of transport, which is sustainable

**Neighbour Representations:**

Four objections have been received and cover the following points:

The Mount, Selwyn Road

- Overlooking of the house and garden at The Mount
- Detrimental effect on the appearance of Mill Gap Road due to position of property no. 1
- Increase in noise following development due to proximity of new access and The Mount
- House no. 1 will appear too tall – a gross distortion of the street scene
- Increase in noise disturbance regarding new access to the site being so close to The Mount especially as refuse trucks will cause significant disturbance entering and leaving the site
- Proposal is over-development of a sensitive site
- Worst aspects would be removed if no. 1 is removed altogether

Mill Gap Cottage, Arundel Road

- House no. 1 is too close to the road
- Previous alterations to the hospice building have been made to ensure that modern extensions do not alter the street scene

4 Torfield Road

- Agree that residential use is probably best for the site

- No concerns with regards to alterations to the Coach House/Cottage, the demolition of part of the hospice building or the change of use of the historic building to three dwellings
- Six new dwellings, new access and parking is overdevelopment of the site
- There are on-street parking problems on Mill Gap Road already existing on Mill Gap Road
- Parking provision is too extensive for size of site
- Highway safety and parking aspects associated with the development are the most significant concerns about the development
- Considerable loss to the area to remove the protected trees and trees subject to TPO should be considered in the same way as those at The Mount
- Area is rich in wildlife and destruction of the hospice garden would have a significant effect on wildlife
- Concerns over the memorial garden at the former hospice

#### Flat 35, Eversley Court

- Supportive of residential use in principle
- Concerns over access into the site
- Concerns over parking provision
- Length of Mill Gap Road affected by proposal is very narrow
- Unclear details about access
- Development could call for 18-27 parking bays, this is unclear
- The effect of the development will be to displace parking on to St Annes Road
- Pressure on parking will increase and with it, will increase the likelihood of an accident in the wider area

#### Two general observations have been received and cover the following points:

##### 2 Leaf Glen

- No objection as long as no adverse effects caused to nos. 1 and 2 Leaf Glen.
- Retaining wall at rear of Leaf Glen should not be put under undue stress
- Drainage – assumed it will be disposed of in a way that does not affect Leaf Glen
- It is assumed unwanted trees will be removed from the border of Leaf Glen and boundary treatments will be in place prior to the commencement of development to lessen impact of development

##### 6 Torfield Road

- Relief to know site proposed to be developed for dwelling houses

#### **Appraisal:**

##### Principle of development:

The site has been identified in the Council's Strategic Housing Land Availability Assessment (SHLAA 13 Units) as being potentially suitable for

residential development. Furthermore, the Cottage at the north end of the site was subject to a grant of planning permission to change its use to residential in 2014 (Ref: 130927). As such, the principle of residential development on the site is considered appropriate.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

Impact upon properties in Leaf Glen:

It is noted that the residential properties to the south and south east of the site are at a much lower ground level than the site. A number of trees are to be removed from this, the southern side of the site. As a result, the site will become more exposed and there is some potential for overlooking to occur from the new dwellings towards properties in Leaf Glen. Nevertheless, the difference in ground levels will mitigate this potential to a significant extent as will the implementation of appropriate boundary treatments and the retention of some trees.

It is acknowledged that the removal of some of the trees along this common boundary may improve the relationship between the site its neighbours in terms of daylight, leaf drop and tree/limb failure.

Impact upon The Mount, Selwyn Road:

There was a concern submitted by residents of The Mount that the side windows proposed for the dwellinghouse at 'Plot 1' would lead to overlooking. As a result, it was requested that these side facing windows were removed to avoid any potential for overlooking. It is now considered that there are no other opportunities for direct overlooking. It is noted that the objection also related to the front facing windows of these new closest dwellings. It is considered, however that the views from these front windows would be oblique views, not direct views. As such, this relationship is considered acceptable

Permitted Development Rights:

It is recommended that Permitted Development Rights are removed from the dwelling houses to ensure that the retained trees are not negatively affected and also to ensure that adjacent properties do not become subject to loss of privacy due to the elevated ground level of the site.

Loss of Light:

Loss of light is not likely to result from the development; if anything, light levels to the properties at Leaf Glen are likely to be increased following the development due to the reduction in the number of trees along this common boundary.

The Mount on the other side of Mill Gap Road is a considerable distance away from the nearest proposed dwellinghouse and although it will be visible from this property, it will be situated too far for this property to suffer any material loss of light. . In addition, The Mount is well planted with mature



vegetation and trees which will significantly screen the development from view of this property and already restricts light received into it.

Residential amenity for future occupiers:

The proposed dwellings are considered compliant with the Nationally Described Space Standards. As such, the level of internal floor space allotted for the new dwellings is considered appropriate.

It is noted that due to the presence of mature trees on the site, the natural daylight received into the dwellings would be somewhat compromised. However it is not considered that this would lead to unacceptably low natural light levels. Furthermore, a number of the trees onsite are to be removed as part of the development which will allow greater levels of light into the site than presently possible, especially along the southern boundary.

Design issues:

The proposed demolition of the newer parts of the building is not considered to negatively impact the character or appearance of the site.

Furthermore, the retention of the older parts of the building, a Building of Local Interest, and their subsequent conversion into dwelling houses is also considered a favourable approach.

The parts of the building that would be lost as part of this proposal are considered to have limited historic aesthetic value and as such, their loss is not considered detrimental to the character and appearance of the site.

Design choices made by the applicant are considered appropriate for this site and the composition of the proposed dwelling houses reflects elements of the retained hospice building such as the use of dual pitched dormer windows, gable-ended properties, a mix of roof types such as dual pitch and elements of hip to pitch (to reflect the variety provided by the existing building) and mono pitched porch roofs. The new buildings are to be brick-built, which further compliments the existing materials used on the site. However, samples/further details of materials to be used in the external surfaces of the development shall be submitted as part of a dischargeable condition to ensure appropriateness.

Overall, the bulk of the built form on the site when viewed from the public realm will be reduced as the large building close to the road is partly demolished and new buildings are built in positions set back from the road.

With regards to the appearance of the site from the public realm, it is considered that the greatest impact will be to the Mill Gap Road elevation to the south of the proposed access where the dwelling proposed for 'Plot 1' is to be located. It is unlikely that the development will be significantly visible from the adjoining roads, Selwyn Road and St Annes Road. There have been

concerns submitted by nearby residents pertaining to this as an issue and the potential impact it will have on the view looking north along Mill Gap Road.

However, some trees in the southern corner of the site are to be retained and as the part of the site allotted for 'Plot 1' is set quite far back from the junction where Mill Gap Road meets Selwyn Road, it is not considered that this new dwellinghouse will be significantly visible from the southern end of Mill Gap Road. Travelling north along Mill Gap Road, the new house on 'Plot 1' will be visible and it is approximately 4m taller than the existing extension in this part of the site. However, it will be located in a position similar to the existing footprint of the modern extensions, although it will be closer to the road. Some retained trees will also soften the potential impact of this dwellinghouse and the overall height is likely to differ little from the overall height of some of the retained trees on the site.

Furthermore, two objections call for the dwellinghouse proposed for 'Plot 1' to be set back or removed due to the impact it is stated this will have on the street scene. There is some reference to previous extensions to the hospice buildings that were agreed to be set back from the road. However, it is considered that a modern extension to a historic building should appear subordinate to the historic building in a way that a new dwelling would not have to. This dwelling is to be located approximately 1.3m from the proposed new boundary fence fronting Mill Gap Road. The corner of the existing modern extension to the hospice building in this location is approximately 4.5m from this same boundary, it then steps back a further 5m. Although the bulk of this dwellinghouse at 'Plot 1' will be closer to Mill Gap Road than the existing, it is not clear what benefits would result from requesting that the existing building line is maintained. In fact, the bulk of the hospice building stands immediately adjacent to the road, much closer than the proposed house at 'Plot 1'. Furthermore, Mill Gap Road is a quiet street which is not highly trafficked either by pedestrians or vehicles. As such, it is considered that the effects of this element of the development would be insignificant and rarely noticed following development. This difference in the built form on the site is identified by objectors, but in design and townscape terms, there appears to be no clear policy issues. The proximity of dwellinghouse no. 1 to Mill Gap Road and the increase in height of the proposed house in contrast to the existing building (although it is noted that the overall height of no. 1 is approx. 0.1m taller than the existing hospice building) is different, but not harmful to the character and appearance of the site and is considered to be compliant with policy (including Policy UHT2 which refers specifically to the appropriate height of buildings).

The proposed height of this proposed dwelling will make it more visible from Mill Gap Road than the existing extensions to the hospice building, however the only property it will be distinctly visible from is The Mount on Selwyn Road (situated on the opposite side of Mill Gap Road to the application site). Although the property will be visible from this property, it will not have any other effect on this property due to the distance separating the site and The

Mount. It is not considered that the development will have any effect on the visual amenity enjoyed from this property as per Policy UHT4, nor is the design of the proposed dwelling houses considered out of keeping with the character of the site or wider area.

#### Impacts on trees:

The report submitted with the application indicate the current status and condition of the trees on the site and further to the assessment of the Specialist Advisor for Arboriculture, it is considered that the loss of some of the trees will be a reasonable step to bring the site back into use.

A number of trees are to be removed from the southern side of the site. This is considered acceptable due to the quality of those trees recommended for removal. In addition, the existing issues regarding these trees and the leaf litter created by them, which has an impact on properties at Leaf Glen, will be significantly reduced as a result of the development. The reduced leaf litter and removal of less significant trees is likely to have a beneficial effect on the wellbeing of the retained trees going forward.

In general terms, the submitted scheme would appear to respond well to the topography, character, extent of the site and trees worthy of the Tree Preservation Order. It is acknowledged that there are portions of the site which are less affected by trees and in this regard the scheme would appear to make use of the site quite sympathetically. Nevertheless, conditions relating to trees are recommended to be added to any consent granted as a greater level of care will need to be undertaken to preserve the retained trees during development.

During the life of the application, it was recommended that patios proposed for the new dwellings should be removed and decking areas installed instead; the applicant has willingly made the requested changes. In addition, as it is recommended that Permitted Development Rights are removed for the purposes of residential amenity and to protect the retained trees, sheds have been included as part of the design for the scheme, to mitigate potential for harm at a later date.

#### Impact on heritage assets:

There are no Listed Buildings on or near the site and the site does not stand within a Conservation Area. The Cottage is visible from the Torfield Conservation Area, however the bulk of the development (including most of the hospice building, the trees within the site, the new access and the new dwelling houses) are not visible from the Conservation Area. As such, the development is not considered to have any impact on this adjacent Conservation Area at all.

However, the former hospice building has been identified as a Building of Local Interest and as such, its redevelopment should be as sympathetic as possible, whilst promoting an appropriate ongoing use. As this proposal is not

considered likely to negatively affect the character or appearance of the Building of Local Interest, no recording of the part to be demolished is required as per Policy UHT18.

In-line with Policy UHT19, the retention of this historic building is welcomed and the change of use is considered likely to result in the prolonged use of the building going forward.

The site stands within an Archaeological Notification Area. As such, prior to the commencement of any development, a written scheme of archaeological investigation will be required and archaeological investigations should be carried out in-line with the approved details. ESCC are satisfied that this recommended condition will be sufficient in order to understand the extent of the archaeology which may be preserved under the ground.

Impacts on highway network or access:

Access onto the site for the purposes of parking and access for emergency vehicles as well as refuse/recycling lorries is to be facilitated by a new access created on the west side of the site from Mill Gap Road. A Traffic Regulation Order (TRO) is likely to be required to facilitate acceptable use of the proposed access to the site. For this, double yellow lines would be proposed opposite the access to ensure that refuse/recycling vehicles can gain entry to the site as well as emergency vehicles. A further TRO would be required for the removal of the existing ambulance bay which formerly served the hospice use. This TRO work should be funded by the development.

It is considered by ESCC Highways that subject to TROs and planning conditions, the development is acceptable. Although further information has been requested and this is covered by associated planning conditions.

Parking provision for the development is noted to fall one space below the ESCC requirement, however, this is not considered to cause a significant issue as the site is well connected via non-car travel alternatives. Further to this, cycling provision is stated to be provided, but has not appeared on any plan. Further information/details will be required as per a suitable condition.

Planning obligations:

The proposed development would be subject to requirements of a Section 106 Agreement pertaining to Highway contributions (to cover the costs of the TRO) and a Local Labour Agreement.

Given the scale of the development both in construction terms and also potential increase in workforce it is considered that some mitigation/enhancements could be delivered via a S106 agreement.

In accordance with policy it is considered that a S106 agreement should cover local labour issues, to enable access to job opportunities for the local

workforce and that the Highway related issues (To cover the costs of the TRO ) are addressed and managed through an appropriate agreement.

Other matters:

The ESCC Flood Risk Team were initially concerned about the drainage provision for the site, but subsequently the applicant has submitted further details pertaining to drainage and flood risk. As a result, ESCC Flood Risk Team have no objections to the proposed development subject to the imposition of conditions.

**Human Rights Implications:**

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

**Conclusion:**

The proposed redevelopment of this former hospice site, which has been identified in the Council's SHLAA is considered appropriate subject to Section 106 Agreements (Highways issues and a Local Labour Agreement) and appropriate conditions.

The scheme has been through a process of pre-application advice requests prior to the submission of this formal application and the proposed scheme is considered overall to respond well to a constrained site in an appropriate way.

**Recommendation:**

Approved conditionally

**Conditions:**

1. Time
2. Drawings
3. Samples
4. Construction method statement
5. Hours of demolition and construction
6. Remove PD – Extensions and Outbuildings
7. Archaeology – Written Scheme of Investigation
8. Details of new access
9. Visibility splays to be cleared of all obstructions
10. Gradients of access
11. Details of surface water drainage
12. Construction Management Plan
13. Turning space
14. Parking areas
15. Cycle parking areas

16. Evidence of drainage (hydraulic calculations) to be submitted
17. Detailed drainage design to be submitted
18. Drainage layout and Southern Water agreement required
19. Detailed design to be informed by winter monitoring
20. Maintenance and management plan to be submitted
21. Prior to occupation evidence of correct construction to be submitted
22. No surface water infiltration
23. No piling or penetrative foundation design
24. Trees- Plan of services
25. Landscaping/planting scheme
26. Trees - excavations
27. Trees – Protection of existing trees
28. Trees - No bonfires
29. Refuse and recycling collection and storage
30. Details of external lighting
31. Protection of retaining wall to south east boundary
32. Details of boundary treatments
33. Protection of greensand walls
34. No contaminated materials on site

**Informatives:**

- 1) S106 for Highways
- 2) S106 for Local Labour Agreement
- 3) Southern Water
- 4) Highways – Licence
- 5) Highways – Construction of wall and AIP
- 6) Highways – Advisory note
- 7) Wildlife survey prior to development

**Appeal:**

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.